

## **REMARKS**

Applicant respectfully requests reconsideration of this application. Claims 1-26 are pending. Claims 2, 10, 13, 16, 17, and 25 have been amended. No claims have been cancelled or added. Therefore, claims 1-26 are now presented for examination.

### **Claim Rejection under 35 U.S.C. §102**

#### **Osten, et al**

The Examiner rejected claims 1-6, 8-22, and 24-26 under 35 U.S.C. 102 (b) as being anticipated by U.S Patent 6,735,660 of Osten, et al. (“Osten”).

For convenience, claim 1 of the present application is again provided below:

1. A method comprising:
  - requesting an InfiniBand connectivity configuration;
  - receiving a response regarding whether the requested configuration can be provided; and
  - attempting to establish the requested connectivity configuration if the response to the request is affirmative.

As stated in the previous response, it is the contention of the Applicant that Osten does not contain the elements of “requesting an InfiniBand connectivity configuration” and “receiving a response regarding whether the requested configuration can be provided”. Related provisions are contained in independent claims 8, 12, 16, and 24. It is submitted that, among other differences, such elements are not provided in Osten. It is necessary that every element of the claims be actually present in the reference to support a rejection under 35 U.S.C. 102 (b), and the elements are not present in this case.

The Applicant submits that the arguments presented in the previous response remain valid and hereby resubmits such arguments. In response to the arguments

presented in the previous office action response, the Examiner has cited to certain provisions of Osten. It is respectfully submitted that such cited portions of Osten do not contain the elements of the claims and do not refute the arguments presented.

The Examiner cites to column 8, line 35 through column 9, line 8, which includes four paragraphs of Osten. The first of the paragraphs reads as follows:

Specifically, it will be appreciated that auxiliary power is conventionally made available to the computer, the SES processor, as well as any IOA adapter coupled to a backplane slot. In the illustrated embodiment, whenever a slot is empty or no IOA has been initialized in the slot, the SES processor controls the tri-state logic to set all sideband signal pairs to a high impedance state. Once a sideband-capable IOA is inserted in a slot, a presence detect signal will both immediately tri-state the sideband signal paths on the IOA through control of tri-state logic block 54 (FIG. 2), and notify the SES processor that an IOA has been inserted in the slot and is ready to be initialized.

(Osten, col. 8, lines 35-46) This paragraph indicates that, when a side-band capable IOA (input/output adapter) is inserted into a backplane slot, a presence detect signal will tri-state the sideband signal paths on the IOA and notify the processor that the IOA is inserted in the slot and is ready. Nothing in such paragraph is directly relevant to the elements of the claims.

The second paragraph then reads:

Upon detection of the assertion of a presence signal, routine 70 begins in block 72 by reading the VPD information from the IOA over the 12C bus to determine what the capabilities of the IOA are. For example, the SES processor may determine that the IOA is sideband-capable and requires a functional 1x InfiniBand link. The VPD may also indicate that a

number of other signal paths are allocated for sideband communications, e.g., wire pairs 3 and 4 might be used to drive an RS232 connection to a DB9 connector on the tailstock. An innumerable number of sideband capabilities, definitions and formats may be defined by the VPD consistent with the invention.

(Osten, col. 8, lines 47-58) In this paragraph, Osten then describes the process that is followed after an IOA is detected. Specifically, the VPD (vital product data) information is read to determine the capabilities of the IOA. The paragraph also indicates what may be indicated by the VPD, including what link is required and that a number of other signal paths are allocated for sideband communications. Thus, this paragraph shows that the system described in Osten operates in a different fashion than the relevant elements of the claims. The process that is described in Osten is one in which an IOA is being examined to determine its capabilities. There is no indication that a device makes a request for a connectivity configuration or that a response is made – there is no communication back and forth between the devices.

The third paragraph indicates:

Next, in block 74, the SES processor checks the relative capabilities and the compatibility between the IOA and the host apparatus, including the slot connector capabilities and/or other capabilities of the host apparatus. Doing so ensures that the computer and slot are fitted with the hardware and software necessary to properly operate the type of IOA installed in the slot.

(Osten, col. 8, lines 59-65) This paragraph then follows with a description of the processor checking the relative capabilities between the IOA and the host apparatus. As indicated in Osten, this is done to ensure that the computer and the slot have the hardware

and software necessary to operate the type of IOA. Again, there is no suggestion of a request/response operation. Instead, Osten is describing a process for determining whether the system can handle the IOA.

The fourth paragraph then provides:

If the check in block 74 fails, control passes to block 76 to signal an error, typically in any of a number of manners known in the art. Otherwise, if the check passes, block 74 passes control to block 78 to set up any initial configuration for the slot and the corresponding IOA through the 12C bus to prepare for sideband communications. Specifically, various signal paths and contacts are typically configured to communicate sideband signals, although in some instances no particular configuration operations may need to be performed for some signal paths or contacts.

(Osten, col. 8, lines 66 through col. 9, line 8) This paragraph then describes the result of the check. If the check passes, the process continues with initial configuration. If the check fails, then the result is “an error, typically in any of a number of manners known in the art.” Osten is describing a process for success or failure of the check, which has no relevance to the elements of the claims. On success, there is initialization. On failure, there is a standard error.

Thus, Osten clearly does not provide for any request or response, as provided in the claims. Instead, Osten provides for a system in which an IOA is inserted into a backplane, the capabilities of the IOA are detected, the compatibility of the IOA with the system is determined, and a result is reached for either initialization or failure. After a close examination of the cited provisions, it is clear that these provisions do not teach or suggest the elements of claims.

The other cited portions of Osten are no more relevant to the claims. The Examiner cites to Osten column 7, lines 49-53 for details of “the request of configuration for the IOA adapter”. However, the cited portion does not actually describe any request. Instead, this provision describes some of the information that may be stored in the VPD. The IOA is not described as making any type of request, but rather indicates that capability data stored is stored in a VPD block (such as element 60 shown in Figure 2).

Thus, Osten does not teach or suggest a process or apparatus that provides for a request for a configuration and a response to the configuration request. Osten describes a one-way process in which a host reads static configuration information and acts upon the information, *not* a two-way communication in which a request is made and a response is received. Osten does not support a rejection under the requirements of 35 U.S.C. 102 (b) because all elements of the claims are not present in the reference.

For at least the above reasons, Osten does not anticipate the provisions of independent claims 1, 8, 12, 16, or 24. Although there are numerous other differences between the cited reference and the claims, the remaining claims are dependent claims and thus are allowable as being dependent on the allowable base claims.

### **Claim Rejection under 35 U.S.C. §103**

#### **Osten, et al**

The Examiner rejected claims 7 and 23 under 35 U.S.C. 103 (a) as being anticipated by Osten in view of U.S Patent 6,732,249 of Pickreign, et al. (“Pickreign”).

Claims 7 and 23 are dependent claims and thus are allowable as being dependent on the allowable base claims.

### **Conclusion**

Applicant respectfully submits that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicant respectfully requests the rejections be withdrawn and the claims as amended be allowed.

**Invitation for a Telephone Interview**

The Examiner is requested to call the undersigned at (503) 439-8778 if there remains any issue with allowance of the case.

**Request for an Extension of Time**

The Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17 for such an extension.

**Charge our Deposit Account**

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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